

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

DEREK R. NICHOLS,	)	8:14CV333
	)	
Petitioner,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
WILLIAM WRIGHT, Judge (Buffalo	)	
District Judge) Official Capacity,	)	
	)	
Respondent.	)	

Petitioner Derek Nichols has filed a Petition for Writ of Habeas Corpus under [28 U.S.C. § 2254](#) (Filing No. [1](#)), and a Motion for Leave to Proceed in Forma Pauperis (Filing No. [2](#)). Habeas corpus cases attacking the legality of a person's confinement require the payment of a \$5.00 fee. [28 U.S.C. § 1914\(a\)](#). However, pursuant to [28 U.S.C. § 1915\(a\)\(1\)-\(2\)](#), and after considering Petitioner's financial status as shown in the records of this court, provisional leave to proceed in forma pauperis will be granted and Petitioner is relieved from paying the fee at this time.

IT IS THEREFORE ORDERED that: Petitioner's Motion for Leave to Proceed in Forma Pauperis (Filing No. [2](#)) is granted.

DATED this 30th day of October, 2014.

BY THE COURT:

s/ Joseph F. Bataillon  
Senior United States District Judge

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